

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

0 Valuation of Security 0 Assumption of Executory Contract or Unexpired Lease 1 ☒ Lien Avoidance

Last revised: December 1, 2017

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re:

Case No.: 15-16769

Ingrid Cedano

Judge: Papalia

Debtor(s)

Chapter 13 Plan and Motions

☐ Original

☒ Modified/Notice Required

Date: 12/19/2017

☐ Motions Included

☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the *Notice*. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☐ DOES ☒ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: SCC

Initial Debtor: [Signature]

Initial Co-Debtor: _____

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 419** per month to the Chapter 13 Trustee, starting on January 1, 2018 for approximately 16** months.

b. The debtor shall make plan payments to the Trustee from the following sources:

☒ Future earnings

☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property

Description:

Proposed date for completion: _____

☐ Refinance of real property:

Description:

Proposed date for completion: _____

☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: _____

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☒ Other information that may be important relating to the payment and length of plan:

Debtor has already paid into the plan a total of \$4,736.00 - 22 payments at \$138 and 9 payments at \$170. The plan is being modified to include post-petition mortgage arrears. An order authorizing these payments will also be filed with the court. The plan is being extended an additional 12 months and will be 48 months in total.

Part 2: Adequate Protection ☒ NONE

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
CHAPTER 13 STANDING TRUSTEE	ADMINISTRATIVE	AS ALLOWED BY STATUTE
ATTORNEY FEE BALANCE	ADMINISTRATIVE	BALANCE DUE: \$ 3,000
DOMESTIC SUPPORT OBLIGATION	N/A	N/A

b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:
Check one:

☒ None

☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
	Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount.		

Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: ☐ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
MidFirst Bank	68 Lembeck Ave. Jersey City, NJ 07305	\$4,922.64	0.00	\$4,922.64	\$2002.38

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

c. Secured claims excluded from 11 U.S.C. 506: ☒ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☐ NONE

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid
US Dept of Housing and Urban Development (Second Mortgage)	68 Lembeck Ave. Jersey City, NJ 07305	\$54,531.75	\$143,000	Midfirst Bank, \$144,710.51	0.00	0.00	pro rata with unsecured creditors

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

US Dept and Housing and Urban Development

e. Surrender ☒ NONE

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

f. Secured Claims Unaffected by the Plan ☐ NONE

The following secured claims are unaffected by the Plan:

g. Secured Claims to be Paid in Full Through the Plan: ☒ NONE

Creditor	Collateral	Total Amount to be Paid Through the Plan

Part 5: Unsecured Claims ☐ NONE

a. Not separately classified allowed non-priority unsecured claims shall be paid:

- ☐ Not less than \$ _____ to be distributed *pro rata*
☐ Not less than _____ percent
☒ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases ☒ NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment

Part 7: Motions ☐ NONE

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f). ☒ NONE

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ☐ NONE

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified
US Dept. of Housing and Urban Development (Second Mortgage)	68 Lembeck Ave., Jersey City, NJ	\$54,531.75	\$143,000	Midfirst \$144, 710.51	0.00	\$54,531.75

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ☒ NONE

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon confirmation
☐ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee commissions
- 2) Administrative and Secured Claims
- 3) Priority Claims
- 4) Unsecured Claims

d. Post-Petition Claims

The Standing Trustee ☒ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☐ NONE

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: 4/15/15

Explain below **why** the plan is being modified:

Include post petition arrears to the first mortgage; add treatment of second mortgage

Explain below **how** the plan is being modified:

Plan payments will be increased starting January 1, 2018 and the plan term will be extended an additional 12 months; second mortgage will be stripped; debtor's first mortgage payment decreased \$280 a month which allows for this adjustment.

Are Schedules I and J being filed simultaneously with this Modified Plan? ☐ Yes ☒ No

Part 10: Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are void.

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Certification.

I certify under penalty of perjury that the plan contains no non-standard provisions other than those set forth in this final paragraph.

Date: 12/19/17

James K. Ciccardi
Attorney for the Debtor

Date: 12/19/17

August J. [Signature]
Debtor

Date: _____

Joint Debtor

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

Date: 12/19/17

Joseph K. Ciccanti
Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: 12/19/17

Augusta Jackson
Debtor

Date: _____

Joint Debtor

Certificate of Notice Page 11 of 12
 United States Bankruptcy Court
 District of New Jersey

In re:
 Ingrid Cedano
 Debtor

Case No. 15-16769-VFP
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
 Form ID: pdf901

Page 1 of 2
 Total Noticed: 45

Date Rcvd: Dec 20, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 22, 2017.

db
 515447550 +Ingrid Cedano, 68 Lembeck Avenue, Jersey City, NJ 07305-3938
 ++CITIBANK, PO BOX 790034, ST LOUIS MO 63179-0034
 (address filed with court: Childrens Place/Citicorp Credit Services,
 Attn: Citicorp Credit Services, Po Box 20507, Kansas City, MO 64195)
 515447549 +Capital One, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
 515680407 Capital One, N.A., c o Becket and Lee LLP, POB 3001, Malvern, PA 19355-0701
 515647595 +Cavalry SPV I, LLC, Assignee of Capital One Bank (USA), N.A., Bass & Associates, P.C.,
 3936 E Ft. Lowell Road Suite #200, Tucson, AZ 85712-1083
 515447551 +Comenity Bank/Express, Attn: Bankruptcy, P.O. Box 182686, Columbus, OH 43218-2686
 515474570 +Department Stores National Bank For Macys Branded, Bankruptcy Processing, Po Box 8053,
 Mason, OH 45040-8053
 515474571 +Department Stores National Bank For Macys Visa Bra, Bankruptcy Processing, Po Box 8053,
 Mason, OH 45040-8053
 515447555 +Dsnb Macys, 9111 Duke Blvd, Mason, OH 45040-8999
 515447561 +Macys, PO Box 183083, Columbus, OH 43218-3083
 515618486 +MidFirst Bank, 999 NorthWest Grand Boulevard, Oklahoma City, OK 73118-6051
 515447563 +Midland Mortgage Company/Mid First Bank, Attention: Bankruptcy, Po Box 26648,
 Oklahoma City, OK 73126-0648
 515447564 +Northland Group, PO Box 390905, Minneapolis, MN 55439-0905
 515447567 +Pressler & Pressler, Attorneys At Law, 7 Entin Road, Parsippany, NJ 07054-5020
 515447568 +Ragan & Ragan, 3100 Route 138 West, Wall, NJ 07719-9021
 515447569 +State of New Jersey, Jersey City Municipal Court, 365 Summit Avenue,
 Jersey City, NJ 07306-3112
 515447572 +Target National Bank, PO Box 673, Minneapolis, MN 55440-0673
 515447573 +Td Rcs/group Usa Inc, 1000 Macarthur Blvd, Mahwah, NJ 07430-2035
 515476792 +U.S. Department of Housing and Urban Development, 451 7th Street S.W.,
 Washington, DC 20410-0002
 515447574 +Velocity Investments, 1800 State Route 34, Belmar, NJ 07719-9147
 515447575 +Visa Dept. Stores, Attn: Bankruptcy, Po Box 8053, Mason, OH 45040-8053
 515447576 +Wachrl, P.o. Box 3117, Winston-salem, NC 27102-3117
 515447577 +Wells Fargo Bank Nv Na, Attn: Deposits Bankruptcy MAC# P6103-05K, Po Box 3908,
 Portland, OR 97208-3908
 515447579 +World Financial Network Bank, PO Box 182125, Columbus, OH 43218-2125

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

smg E-mail/Text: usanj.njbankr@usdoj.gov Dec 20 2017 21:48:41 U.S. Attorney, 970 Broad St.,
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
 smg +E-mail/Text: ustpreregion03.ne.ecf@usdoj.gov Dec 20 2017 21:48:40 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235
 515454442 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Dec 20 2017 21:54:01
 American InfoSource LP as agent for, Midland Funding LLC, PO Box 268941,
 Oklahoma City, OK 73126-8941
 515447552 +E-mail/Text: bankruptcy_notifications@ccsusa.com Dec 20 2017 21:48:52
 Credit Collection Services, Two Wells Avenue, Newton Center, MA 02459-3246
 515447553 +E-mail/PDF: creditonebknotifications@resurgent.com Dec 20 2017 21:53:58 Credit One Bank,
 Po Box 98873, Las Vegas, NV 89193-8873
 515457854 E-mail/Text: mrdiscen@discover.com Dec 20 2017 21:48:30 Discover Bank,
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
 515447554 +E-mail/Text: mrdiscen@discover.com Dec 20 2017 21:48:30 Discover Fin Svcs Llc,
 Po Box 15316, Wilmington, DE 19850-5316
 515447556 +E-mail/Text: fggbanko@fgny.com Dec 20 2017 21:48:31 Forster Garbus & Garbus,
 Attorneys At Law, 7 Banta Place, Hackensack, NJ 07601-5604
 515447558 +E-mail/PDF: gecsedirecoverycorp.com Dec 20 2017 21:41:21 GECRB/ Old Navy,
 Attention: GEMB, Po Box 103104, Roswell, GA 30076-9104
 515447559 +E-mail/PDF: gecsedirecoverycorp.com Dec 20 2017 21:41:58 GECRB/Lowes,
 Attention: Bankruptcy Department, Po Box 103104, Roswell, GA 30076-9104
 515447557 +E-mail/PDF: gecsedirecoverycorp.com Dec 20 2017 21:41:58 Ge Money Bank, PO Box 960061,
 Orlando, FL 32896-0061
 515447560 +E-mail/Text: bnckohlsnotices@becket-lee.com Dec 20 2017 21:48:31 Kohls/capone,
 N56 W 17000 Ridgewood Dr, Menomonee Falls, WI 53051-7096
 515657375 E-mail/PDF: resurgentbknotifications@resurgent.com Dec 20 2017 21:41:38
 LVNV Funding, LLC its successors and assigns as, assignee of FNBK, LLC,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 515447562 +E-mail/Text: bankruptcydpt@mcmcg.com Dec 20 2017 21:48:40 Midland Funding,
 8875 Aero Dr Ste 200, San Diego, CA 92123-2255
 515447566 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Dec 20 2017 21:54:24
 Portfolio Recovery, 120 Corporate Blvd Ste 1, Norfolk, VA 23502
 515447565 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Dec 20 2017 21:54:10
 Portfolio Recovery, Attn Bankruptcy Department, PO Box 41067, Norfolk, VA 23541
 515688366 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Dec 20 2017 21:54:01
 Portfolio Recovery Associates, LLC, c/o Old Navy, POB 41067, Norfolk VA 23541
 515689422 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Dec 20 2017 21:54:11
 Portfolio Recovery Associates, LLC, c/o Victoria's Secret, POB 41067, Norfolk VA 23541

District/off: 0312-2

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 45

Date Rcvd: Dec 20, 2017

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

515447570 +E-mail/PDF: gecsed@recoverycorp.com Dec 20 2017 21:41:21 Synch/banana Rep, Po Box 965005,
Orlando, FL 32896-5005
515447571 +E-mail/PDF: gecsed@recoverycorp.com Dec 20 2017 21:41:36 Synch/gap, Po Box 965005,
Orlando, FL 32896-5005
515447578 +E-mail/PDF: bk@worldacceptance.com Dec 20 2017 21:41:37 World Financial Network Bank,
Portfolio Recovery, Po Box 41067, Norfolk, VA 23541-1067
TOTAL: 21

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

517236950* +U.S. Department of Housing, and Urban Development, 451 7th Street, S.W.,
Washington, DC 20410-0002

TOTALS: 0, * 1, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 22, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 19, 2017 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor MidFirst Bank dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
Joshua I. Goldman on behalf of Creditor MidFirst Bank jgoldman@kmlawgroup.com,
bkgroup@kmlawgroup.com
Marie-Ann Greenberg magecf@magtrustee.com
Nicholas Fitzgerald on behalf of Debtor Ingrid Cedano nickfitz.law@gmail.com

TOTAL: 4